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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,036	03/24/2004	Dan Scott Johnson	100201135-1	5669

22879 7590 01/30/2008
HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

GRAHAM, PAUL J

ART UNIT	PAPER NUMBER
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2623

NOTIFICATION DATE	DELIVERY MODE
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01/30/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM
mkraft@hp.com
ipa.mail@hp.com

Office Action Summary

Application No.

10/808,036

Applicant(s)

JOHNSON, DAN SCOTT

Examiner

Paul J. Graham

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20-22 and 24-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20-22 and 24-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/24/04 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/26/07 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-18, 20-22, and 24-28 have been considered but are moot in view of the new ground(s) of rejection. New references have been cited to reject the amended claims.

Obviousness Type Double Patenting Rejection

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a

nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b). Claim 1 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/808,015. Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant application recites an "audio/video component networking system" and the copending application # 10/808,015 recites an "audio/video component networking system". See below.

Claim 1 of US Pat App#: 10/808,015	Claim 1 of Instant App#: 10/808,036
<p>1. An audio/video (A/V) component networking system, comprising:</p> <p>a centralized storage system adapted to communicatively receive a plurality of source components, each <i>source component</i> adapted to provide A/V program data;</p> <p>and a sink component disposed remote from the storage system and communicatively disposed between the storage system and a <u>presentation device</u>, the sink component adapted to receive A/V program data from at least one of the plurality of source components and transmit the A/V program data to the presentation device, the sink component adapted to enable a user to select an A/V menu interface associated with at least one</p>	<p>1. An audio/video (A/V) component networking system, comprising:</p> <p>a <i>source component</i>;</p> <p>a <u>presentation device</u>;</p> <p>and a sink component disposed remote from the source component and adapted to control presentation of A/V program data received from the source component on the presentation device, the sink component adapted to transmit a command to the source component to control streaming of an A/V menu interface of the source component for display on the presentation device.</p>

of the plurality of source components for display on the presentation device, and wherein the sink component is configured to control streaming of the selected A/V menu interface from the corresponding source component to the presentation device.	

Note the comparison above; claim 1 of the instant application is not patentably distinct from claim 1 of US Patent Application # 10/808,015.

For example, claim 1 of the instant application is broader in scope than claim 1 of US Patent Application # 10/808,015 because it does not recite a centralized storage system adapted to receive a plurality of source components; however, the specification for the US Patent Application # 10/808,036 allows for such a subsystem in the invention (see [0023-24 of the US Patent Application # 10/808,036) and such an addition to the system in order to allow for recordable content to be captured by the system is possible. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of the US Patent Application # 10/808,036 with a centralized storage system in order to allow system users to present recorded content with system resources, making the claims even more similar.

Additionally, instant claim 1 of the US Patent Application # 10/808,036 recites a presentation device, a source component, and a sink component that controls streaming of the source component; each of these elements are recited in the instant application as well. A plurality of source components are recited in the US Patent Application # 10/808,015 and it would be possible to broaden the US Patent Application # 10/808,036 to include multiple source components to allow for different programming. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the US Patent Application #

10/808,036 with multiple source components in order to allow for a multiplicity of programming for the user to choose.

Claim 1 of the US Patent Application # 10/808,036 (instant application) recites a sink component remote from the source component, this is possible to narrow the claim 1 of the US Patent Application # 10/808,036 (similar to claim 1 of US Patent Application # 10/808,015) in order to distinguish a controlling unit from a content source unit. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the US Patent Application # 10/808,036 with a distinct sink component in order to make sink functionality diagnosis easier. Claim 1 of the US Patent Application # 10/808,015 recites a distinct sink component as well, such narrowing of the # 10/808,015 claim 1 scope is possible for similar reasoning.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3, 5, 7, 11-13, 17, 22, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. (US 6202211 B1) in view of Accarie et al. (US 2003/0048757 A1) in view of Salmonsens (US 2004/0049797 A1).

As to claim 1, Williams discloses an audio/video (A/V) component networking system, comprising (see Williams, fig. 4):

a source component (see Williams, fig. 3, col. 5, ll. 34-39, receiving from a source component from remote systems within another network, see col. 6, ll. 7-11, and the cable system (fig. 5) into a number of tuners (see col. 1, ll. 60-64));

a presentation device (see Williams, fig. 4, a TV);

and a sink component disposed remote from the source component and adapted to control presentation of A/V program data received from the source component on the presentation device (see Williams, fig. 4, STB is a sink distinct from source in the server, adapted to control, see Williams, col. 6, ll. 43-49),

the sink component adapted to transmit a command to the source component to control displaying of an A/V interface of the source component for display on the presentation device (see Williams, col. 6, ll. 43-54, if cable box is set correctly (controlled by STB) cable converter box output streams to TV via STB control).

Williams teaches control of data, but does not explicitly teach control of menu interface from the source component; Accarie, who discloses a network communication system does teach control of menu interface of the source component for display on the presentation device (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447])).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams with the system of Accarie to allow the user to access the menu of control functions of a remote source component (see Accarie, [0453]).

The combination of Williams and Accarie does not expressly teach control of a streaming menu interface; however, Salmonsens, who discloses network interfacing, does teach this (see Salmonsens, [0105], a media renderer (sink) controls the streaming of VOB files from the source to the display (presentation device, see control signals (fig. 3) from media source to renderer to video display to show control menus for subtitles and languages)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams and Accarie with the system of Salmonsens so that the user could make selections from a dynamic menu display presented by the sink unit (see Salmonsens, [0054]).

As to claim 13, Williams discloses an audio/video (A/V) component networking method, comprising (see Williams, fig. 4 and col. 3, ll. 20-60):

controlling, via a sink component, presentation of A/V program data received from a remote source component on a presentation device (see Williams, col. 6, ll. 43-50, STB provides the tuned TV signal to TV in selected mode);
and controlling, via a command issued by the sink component to the source component, displaying of an A/V interface of the source component for presentation on the presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command

(from remote control unit, controlled by STB) cable converter box outputs stream to TV via STB control).

Williams teaches control of data, but does not explicitly teach control of menu interface from the source component; Accarie, who discloses a network communication system does teach control of menu interface of the source component for display on the presentation device (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447])).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams with the system of Accarie to allow the user to access the menu of control functions of a remote source component (see Accarie, [0453]).

The combination of Williams and Accarie does not expressly teach control of a streaming menu interface; however, Salmonsens, who discloses network interfacing, does teach this (see Salmonsens, [0105], a media renderer (sink) controls the streaming of VOB files from the source to the display (presentation device, see control signals (fig. 3) from media source to renderer to video display to show control menus for subtitles and languages)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams and Accarie with the system of Salmonsens so that the user could make selections from a dynamic menu display presented by the sink unit (see Salmonsens, [0054]).

As to claim 27, Williams disclose an audio/video (A/V) component networking method, comprising (see Williams, fig. 4 and col. 3, ll. 20-60):

receiving, via a sink component, A/V program data from a remote source component (see Williams, col. 6, ll. 43-50, STB receives the tuned TV signal to TV in selected mode and transmits it on);

presenting the A/V program data on a presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit, controlled by STB) cable converter box outputs stream to TV via STB control); and

Williams teaches control of data, but does not explicitly teach control of menu interface from the source component; Accarie, who discloses a network communication system does teach control of menu interface of the source component for display on the presentation device (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447])).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams with the system of Accarie to allow the user to access the menu of control functions of a remote source component (see Accarie, [0453]);

providing, via the sink component, a real time, automatically updating, menu interface of the source component on the presentation device (see Accarie, [0445], as

soon as terminal is selected (real-time), the list (the menu interface) of learned commands are displayed, the learned commands are updates and this is done automatically with terminal selection).

The combination of Williams and Accarie does not expressly teach control of a streaming menu interface; however, Salmonsens, who discloses network interfacing, does teach this (see Salmonsens, [0105], a media renderer (sink) controls the streaming of VOB files from the source to the display (presentation device, see control signals (fig. 3) from media source to renderer to video display to show control menus for subtitles and languages)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams and Accarie with the system of Salmonsens so that the user could make selections from a dynamic menu display presented by the sink unit (see Salmonsens, [0054]).

As to claim 28, Williams, Accarie and Salmonsens (as combined in claim 27) disclose the method of claim 27, further comprising:

Receiving an input by the sink component corresponding the menu interface presented on the presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit—input to STB (sink)) and

Transferring the input to the source component (see Williams, col. 6, ll. 43-54, cable converter box (source) outputs stream to TV based on channel selection from STB control).

As to claim 22, Williams discloses an audio/video (A/V) component networking system, comprising (see Williams, fig. 4, and col. 3, ll. 20-60):

Means for controlling, via a sink component, presentation of A/V program data received from a remote source component on a presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit, controlled by STB) cable converter box output streams to TV via STB control); and

Means for controlling, via a command issued by the sink component to the source component, streaming of an A/V interface from the source component for presentation on the presentation device (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit, controlled by STB) cable converter box output streams to TV via STB control).

Williams teaches control of data, but does not explicitly teach control of menu interface from the source component; Accarie, who discloses a network communication system does teach control of menu interface of the source component for display on the presentation device (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447])).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams with the system of Accarie to allow the user to access the menu of control functions of a remote source component (see Accarie, [0453]).

The combination of Williams and Accarie does not expressly teach control of a streaming menu interface; however, Salmonsens, who discloses network interfacing, does teach this (see Salmonsens, [0105], a media renderer (sink) controls the streaming of VOB files from the source to the display (presentation device, see control signals (fig. 3) from media source to renderer to video display to show control menus for subtitles and languages)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams and Accarie with the system of Salmonsens so that the user could make selections from a dynamic menu display presented by the sink unit (see Salmonsens, [0054]).

As to claim 3, Williams, Accarie and Salmonsens (as combined in claim 1) disclose the system of claim 1, wherein the sink component is adapted to enable the user to access the A/V menu interface associated with the source component (see Accarie, [0395-0447], all stored commands (a menu) of a local terminal (a source) is displayed on a screen for user selection (displayed on presentation device, [0447] is access to the A/V menu interface (see Accarie, [0398])).

As to claim 5, Williams, Accarie and Salmonsens discloses the system of claim 1, wherein the sink component is adapted to transfer the A/V program data via a plurality of different types of communication networks (see Accarie, [0249-252], switching between A/V networks of different types (1355/1394) transferring data, the storage means is capable of handling different packet types [0257]).

As to claim 7, Williams, Accarie and Salmonsens (as combined in claim 1) disclose the system of claim 1, wherein at least one of the source components is selected from the group consisting of a satellite receiver source component, a digital versatile disk (DVD) source component, a compact disc (CD) source component, a computer, and a cable source component (see Williams, fig. 5 and col. 5, ll. 35-45, cable source component).

As to claim 11, Williams, Accarie and Salmonsens (as combined in claim 1) disclose the system of claim 1, wherein the sink component is adapted to control a menu function associated with the A/V program data (see Williams, col. 6, ll. 43-54, cable box channel set by IR command, a menu function associated with the A/V program data from cable box (a source) (from remote control unit, controlled by STB) cable converter box output streams to TV via STB control).

As to claim 12, Williams, Accarie and Salmonsens (as combined in claim 1) disclose the system of claim 1, wherein the sink component is adapted to access an A/V program data library of the source component (see Accarie, [0371], a local node (sink) receives program data (from source) and stores in RAM).

As to claim 17, Williams, Accarie and Salmonsens (as combined in claim 13) disclose the system of claim 13, wherein controlling, via a command issued by the sink component, comprises transmitting the command to at least one of the group consisting of a satellite receiver component, a digital versatile disk (DVD) component, a cable component, a computer, and a compact disk (CD) component (see Williams, col. 6, ll. 43-54, cable box channel set by IR command (from remote control unit, controlled by STB) cable converter box outputs stream to TV via STB control).

6. Claims 2, 4, 6, 8, 14-16, 18, 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. (US 6202211 B1) in view of Accarie et al. (US 2003/0048757 A1) in view of Salmonsens (US 2004/0049797 A1) in view of Hunter et al. (US 2002/0056118 A1).

As to claim 2, Williams, Accarie and Salmonsens (as combined in claim 1) disclose the system of claim 1,

The combination of Williams, Accarie and Salmonsens does not teach wherein the sink component is adapted to decode the A/V program data; however, Hunter, who discloses an audio-video distribution system, does teach this (see Hunter, [0065] decoder is part of user station, a STB [0037]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter adding intelligence to the STB or user station and allowing for a simpler network fabric (see Hunter, [0065]).

As to claim 4, Williams, Accarie and Salmonsens (as combined in claim 1) disclose the method of claim 1,

The combination of Williams, Accarie and Salmonsens does not explicitly teach further comprising performing a registration operation to register the source component with the sink component; however, Hunter does teach this (see Hunter, [0163-0165], the sink registers the CD or another type of media player for playback).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter in order to recognize multiple sources of programming data allowing the end user variety in his entertainment choice (see Hunter, [0164]).

As to claim 6, Williams, Accarie and Salmonsens (as combined in claim 1) disclose the system of claim 1,

The combination of Williams, Accarie and Salmonsens does not explicitly teach wherein the sink component is adapted to perform a registration operation to register a format of the A/V program data available from each of the plurality of source components; however, Hunter does teach this (see Hunter, [0163-0165], the sink registers the format of a CD or another type of storage media for playback).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter in order for program format to be variable from the content sources, making for a more robust entertainment system (see Hunter, [0164]).

As to claim 8, Williams, Accarie and Salmonsens (as combined in claim 1) disclose the system of claim 1,

The combination of Williams, Accarie and Salmonsens does not expressly teach wherein the sink component is adapted to perform a registration operation to register the presentation device with the sink component; however, Hunter does teach this (see Hunter, [0142] through communication with the on-screen GUI (of the presentation device) the user station, sink, realizes information about the user preferences for display on the presentation device, hence registers the device).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsens with the system of Hunter in order to allow the system to correctly recognize the device data is sent to for display therefore no delay in user interaction with the data occurs (see Hunter, [0142]).

As to claims 14 and 25, they are analyzed similar to claim 4.

As to claims 16 and 24, they are analyzed similar to claim 2.

As to claim 18, it is analyzed similar to claim 3.

As to claim 15, it is analyzed similar to claim 6.

7. Claims 9, 10, 20, 21, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. (US 6202211 B1) in view of Accarie et al. (US 2003/0048757 A1) in view of Salmonsens (US 2004/0049797 A1) in view of Williams et al. (US 2004/0019908 A1—hereafter known as Chris Williams).

As to claim 9, Williams, Accarie and Salmonsén (as combined in claim 1) disclose the system of claim 1,

The combination of Williams, Accarie and Salmonsén does not explicitly teach wherein the sink component is adapted to present to the user a filtered aggregated listing of the A/V program data available from each of the plurality of source components based on a format of the A/V program data available from each of the plurality of source components; however Chris Williams does teach this (see Chris Williams, fig. 5, each source has a different data format).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsén with the system of Chris Williams in order to allow the end user the pleasure of entertainment from several various sources (see Chris Williams, [0026]).

As to claim 10, Williams, Accarie and Salmonsén (as combined in claim 1) disclose the system of claim 1,

The combination of Williams, Accarie and Salmonsén does not explicitly teach wherein the sink component is adapted to present to the user a filtered aggregated listing of the A/V program data available from each of the plurality of source components based on a type of the presentation device; however Chris Williams does teach this (see Chris Williams, fig. 5, the audio data will be reproduced on an audio presenter, speaker system of fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Williams, Accarie and Salmonsén with the system

of Chris Williams in order to allow the end user the pleasure of entertainment from several various sources (see Chris Williams, [0026]).

As to claim 20, it is analyzed similar to claim 9.

As to claims 21 and 26, they are analyzed similar to claim 10

Inquiries

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul J. Graham whose telephone number is 571-270-1705. The examiner can normally be reached on Monday-Friday 8:00a-5:00p EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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1/17/08



ANDREW Y. KOENIG
PRIMARY PATENT EXAMINER